

So, You Want to Be a Judge on the District of Columbia Courts

By the DC Judicial Nomination Commission



Judicial Powers in the District of Columbia

- The judicial power of the District of Columbia is vested in the District of Columbia Court of Appeals and the Superior Court of the District of Columbia pursuant to D.C. Code 1-204.31 *et seq.*

Superior Court of the District of Columbia

- Created by Congress by the District of Columbia Court Reform and Criminal Procedure Act of 1970 (Public Law 91-358, 84 Stat. 473)
- Has jurisdiction over any civil action or other matter (at law or in equity) brought in the District of Columbia pursuant to D.C. Code 1-204.31 *et seq.*
- Any criminal case under any law applicable exclusively to the District of Columbia
- Chief Judge, 61 associate judges, also senior judges and magistrate judges pursuant to D.C. Code 11-903

Organization of the Superior Court

- The Civil Division
- The Criminal Division
 - includes Drug Court, East of the River Community Court, and the Mental Health Diversion Court
- The Family Court
- The Probate Division
- The Tax Division

District of Columbia Court of Appeals

- Created by Congress by the District of Columbia Court Reform and Criminal Procedure Act of 1970 (Public Law 91-358, 84 Stat. 473)
- Has jurisdiction over appeals from the Superior Court of the District of Columbia
- To the extent provided by law, reviews orders and decisions of the Mayor, the Council, or any agency of the District of Columbia pursuant to D.C. Code 1-204.31 *et seq.*
- Chief Judge and eight associate judges pursuant to D.C. Code 11-702

Diverse Professional Backgrounds of the Judiciary

- Judges on the Courts have practiced in all areas of the law, including

United States Government Attorneys

District of Columbia Government Attorneys

Public Defenders

Attorneys from large, small, and public interest law firms with criminal and civil practices

Faculty of area law schools

Sole practitioners

DC Judicial Nomination Commission (JNC)

- Established by Congress in the District of Columbia Code pursuant to D.C. Code 1-204.34 *et seq.*
- Screens, selects, and recommends candidates to the President of the United States for judicial vacancies on the Superior Court of the District of Columbia and the District of Columbia Court of Appeals
- Appoints the chief judges for both courts

JNC Commissioners

- Seven Commissioners appointed pursuant to D.C. Code 1-204.34(a) *et. seq.*
 - One appointed by the President of the United States
 - Two appointed by the Board of Governors of the District of Columbia Bar Association
 - Two appointed by the Mayor of the District of Columbia (one shall not be a lawyer)
 - One appointed by the Council of the District of Columbia (shall not be a lawyer)
 - One federal judge appointed by the Chief Judge of the United States District Court for the District of Columbia

JNC Commissioners

- All Commissioners are appointed for six-year terms except for the Commissioner appointed by the President of the United States who is appointed for a five-year term

JNC Commissioners

- Honorable Emmet G. Sullivan, Chair
- Mr. William Lucy
- Natalie O. Ludaway, Esquire
- Woody N. Peterson, Esquire
- Karl A. Racine, Esquire
- Rev. Morris L. Shearin, Sr.
- Grace E. Speights, Esquire

Qualifications for Judicial Appointments

- United States Citizen
- Active member of the District of Columbia Bar and has engaged in the active practice of law in the District of Columbia for the 5 years immediately preceding the nomination, or has been on the faculty of a law school in the District of Columbia, or has been employed as a lawyer by the U.S. or the District of Columbia
- Bona fide resident of the District of Columbia for at least 90 days immediately prior to the nomination
- Recommended to the President by the JNC
- Has not served, within the period of two years prior to the nomination, as a member of the Commission on Judicial Disabilities and Tenure or the JNC

Bona Fide Resident Requirement

- Applicant has maintained an actual place of abode in the District for at least 90 days immediately prior to the nomination pursuant to 1-204.33(b)(3) *et seq.*
- Nominee shall retain such residency while serving as judge pursuant to 1-204.33(b)(3) *et seq.*

JNC Application Process

- Interested persons must submit an application which includes:
 - Letter of interest
 - Resume
 - Application Questionnaire with required writing samples
 - Application Identification
 - Authorization for Release of Information
 - MPD Criminal History Request Form
 - IRS Tax Check Waiver
 - Tax Compliance Letter
 - Release from Liability
 - 250 word or less biographical summary

JNC Application Process

- Applicants may contact individual Commissioners to request individual meetings
- Letters of recommendation are not required but the Commission will accept them
- Commission collectively interviews all new candidates

JNC Selection Process

- Receives notice of a judicial vacancy (e.g., retirement)
- Publishes a Notice of Judicial Vacancy and solicits applications
- Receives applications
- Posts public notice identifying the names of all candidates
- Conducts background investigations (e.g., criminal record, tax records, credit bureaus, bar associations, etc.)
- Reviews application packages, results of investigations, any public comment received, and letters of recommendation
- Convenes, considers, and selects candidates

JNC Selection Process

- JNC will only send names of those persons who fully meet the statutory qualifications
- Submits to the President, for possible nomination and appointment, a list of three persons for each vacancy within 60 days following the occurrence of such vacancy pursuant to 1-204.34(d)(1) *et seq.*
- Publishes the names of persons recommended pursuant to 1-204.34(d)(4) *et seq.*

Nomination and Appointment Process

- Presidential review of persons recommended
- Presidential nomination
- The President nominates for Senate confirmation one of the persons on the list submitted by the JNC within 60 days after receiving the list

Nomination and Appointment Process

- Senate Confirmation
- The Senate is not required by law to hold confirmation hearings or otherwise act on the nomination within a prescribed period of time
- Presidential Appointment
- Investiture of Associate Judge

Career Paths of Alumni from the District of Columbia Court Systems

- United States Court of Appeals for the District of Columbia Circuit
- United States District Court for the District of Columbia
- United States Department of Justice
- Law Firms/Mediation Firms
- District of Columbia Government

For Additional Information

Contact the District of Columbia
Judicial Nomination Commission at:

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202-879-0478

Visit the website at: www.jnc.dc.gov

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